

Butte-Silver Bow Study Commission Minutes

Meeting Date: March 31, 2005

Time: 5:30 p.m.

Place: Butte-Silver Bow County Courthouse, First Floor Conference Room

Call to Order: **Chairman Bob Worley** brought the meeting to order at 5:31 p.m. He proceeded to call roll with the following results:

Members Present: Tony Bonney, Ristene Hall, Dave Palmer, Meg Sharp, Cindi Shaw, Northey Tretheway, Bob Worley, and Shag Miller were present, along with Ron Rowling and Shelly Jones. Wayne Harper arrived a few minutes late.

Excused Absences: None

Others Present: Jim Fabatz, Rick Griffith, Danette Harrington, and Lori Maloney.

Approval of Minutes: Shag Miller made a motion to approve the minutes of the March 24, 2005, and Dave Palmer seconded the motion. Bob Worley asked that one correction be made -- change the word "Sate" to "State." Also, a motion was seconded to adjourn the meeting, but the secretary could not detect who made that motion. She thought it was Cindi Shaw who left before the adjournment of the meeting. The minutes were then approved.

Ron Rowling apologized to the Commission for the mix-up on the agenda and thanked both Rick Griffith and Jim Fabatz for coming to speak on short notice. He also stated that the Pacaderm Club is looking for speakers and asked who from the Study Commission would be interested in speaking. Shag Miller and Cindi Shaw volunteered to address the Club (April 27). Bob Worley mentioned that Shag Miller was also going to speak at an April 14 meeting, and Bob Worley wants to attend.

Citizen Comments: None

Guest Speakers:

Bob Worley introduced the first speaker, Rick Griffith, who served on the 1984-1986 Study Commission. Rick is also the Airport Manager and will come back at a later date to report on the airport. Bob Worley also introduced Jim Fabatz who served on the 1994-1996 Study Commission; Jim works for NorthWestern Energy.

Rick Griffith reported that the 1984-1986 Study Commission had a lot of diversity among the commission members. The members, as well as the issues, were very polarized. They had people who were interested in saving offices in the courthouse, and others who were politically charged because of non-partisan issues. He believes the

government is running fairly efficiently, but needs some tweaking. He said we all want a cost-effective government. Twenty years ago they weren't very successful, but the electorate has changed. Shag Miller asked Rick Griffith what issues/items the commission recommended. Rick said their recommendation was an all or none issue and it ended up being a political thing -- nonpartisan. It turned out to be a referendum rather than a study commission recommendation. Shag Miller asked if there were other changes the 1984-1986 commission recommended in addition to removing the Auditor's office. Rick said that they looked at combining positions not eliminating them. Cindi Shaw asked how the study commission approached the public for their input. Rick stated that, at that time, the public was energized when the public came to them. They did a lot of advertising. They had eight to ten citizens that came to every meeting. They did not do a survey. Tony Bonney asked if money was spent during their study to educate the public. Rick said that about one-fourth of the money was spent on advertising and flyers. He believes people were well informed. Rick stated that the electorate was barely out of the '77 Charter. They still had a large amount of people that were not getting along (city/county employees, volunteer and paid firefighters, etc.). Ristene Hall asked what their budget was. Rick reported that it was a mil, with some of it going to staff (Dan Dennehy). About one-third of the money was for printed material and public hearing notices. Northey Tretheway asked how much personal time the staff put in during the duration, and he also asked if they traveled around to other communities. He said they did not travel other than to the initial training session. He said their schedule was about the same as the current commission's schedule. Northey also asked how they came to the point to drawing some conclusions of what they were going to put before the voters. Rick said they took what they thought were unfinished issues in the first Charter and tried to bring in everyone to find out if there were other issues. He said in the end you would feel what is right. He wouldn't put partisan politics on the ballot again. They were beat at the Charter level and at the referendum level. Rick said they spent the better part of four meetings going through the Charter and trying to understand it. Bob Worley asked if Rick had any recommendations. Rick did not have any recommendations. In reply to Cindi Shaw's question, Rick said they only had three issues that were all in one package. He said it may have been a factor and they should have been split. It could work both ways. It may be easier to carry a whole agenda forward than a partial one. The Study Commission thanked Rick for coming.

Next to speak was Jim Fabatz. Jim began by stating that he took the study commission very personal (you are elected as the top vote getters in the county to do the best you can do). He asked if Bob McCarthy was the legal advisor. He said that Bob steered them in a lot ways correctly, but when he looks back, he wishes he would have questioned him more on certain stuff -- "show me." Jim Fabatz said he spent a lot of time in the Courthouse visiting with different people. You hear the different spiels about their (the officials and managers, etc.) jobs, you question if you are getting the real story? It's when you get the 10:00 p.m. phone call or when you see people on the street that you will hear what's on one's mind. He also said it is very important to take your own notes to review a year from now the things that were important to you. He wrote down dates and key issues. He believes this commission is going to be dealing with big issues. There was a lot of animosity in the Courthouse when he was on the commission. He tried to

have his ears open, listen to clerks and other employees. Time is short, summer is tough, and the time goes quick. Shag asked what issues were put on the ballot. Jim Fabatz said that it was the Auditor, Superintendent of Schools, Public Administrator, and Coroner positions. They were separate issues. There was push for a land office for land record information. Their commission used Party Line (Ron Cass was on the commission) to get to the Public. He said you would get valuable input from people that way. They may not show up at the meetings, but they will call in. They also did FOCUS. Tony Bonney asked if they proposed any language changes in the Charter. Jim could not recall. He said that the language "at the pleasure of," whether it is for an elected official or the chief executive, was thrown in their face. Tony Bonney said that he thinks that the Study Commission can present simple language changes in the Charter to the Council of Commissioners, and it wouldn't have to go before the voters. Tony suggested that Bob Worley might find that out. Northey asked what Jim thought the big issues were. Jim said the two (2) firings in the first week. He believes there is a mad public, and this Study Commission represents the public for change. Are you going to have an elected chief executive versus a city/county manager? It's a unique time, by the pulse that's in the community. You will get the 10:00 p.m. phone call. In response to Tony's question, referring to the recommendation to create a land records office and facing a similar situation with superfund, did Jim find the language in the Charter sufficient or should the language be simpler. Jim said the Charter needs simpler language. Ristene Hall said that she feels the public is expecting the Study Commission to come to them with changes and solutions. Jim Fabatz agreed. Jim said that at the halfway point, you would know what keeps surfacing and what doesn't. The website is a great source for sharing information although not everyone has a PC. He suggested that the commission should take out a one-page ad listing the issues. Dave Palmer asked Jim about the words "at the pleasure of the Chief Executive" that were brought up during his tenure; "What did Bob McCarthy recommend to them?" Jim replied that "No, it stayed." To clarify Jim's statement, Dave said that it was Bob's recommendation. Jim agreed. In a follow-up to Tony's question, Dave didn't think that the Council could make simple language changes. The Council would have to wait for the Study Commission. Discussion followed on this. Jim recalled that the Council had that power with the Study Commission's recommendation for simple language changes. Dave Palmer said that a simple language change could change the whole meaning. Jim said that Bob McCarthy was a great source for information, but he wished that on some of the things Bob said that Jim would have said "show me." Dave asked if the press was ever present. Jim said that later on they were present. Jim said that he respected all the people that came through the door. They are trying to sell their jobs. Jim also stated that citizens want the Study Commission to change things, but they still like to have that vote. Jim suggested that the Commission let the public know where you are at this point, even before the halfway point. Northey asked if at the halfway point did the commission that Jim served on get feedback that caused them to change course. Jim said yes, and the feedback came from the people that were the most interested in the changes. At that time, the public hearings held in the Council Chambers were well attended. Jim said not to beat yourselves up, you make the effort, every thing is on the table, and the meetings are open. The Study Commission thanked Jim for sharing his experience.

Bob Worley went over a few things that were missed at the last meeting. 1) He read an email that was sent to the Study Commission from the BSB Democrat secretary regarding a donation of liquor; 2) Bob also visited with Officer Skuletich and he discussed a wording change that Officer Skuletich would like to see from Sheriff to Chief of Police. The reason was that if someone were elected as Chief of Police instead of Sheriff they would not be required to resign his position, consequently retirement could go on; 3) Bob Worley reported that he is trying to get a hold of Jon Sesso and Gordon Hart from San Francisco. He inquired whether or not Gordon Hart would have to be paid if he spoke before the Commission; 4) he also brought up that the Highland View people are going to push to expand the golf course; 5) he asked if Ristene put together presentation guidelines (Ristene said that Northey already had very good guidelines); 6) last week, the Sheriff's office brought up the fact that they are short people and money; 7) he brought up the discussion from last week's meeting regarding having volunteer police that would relieve some of the stress of the police officers. Bob McCarthy brought up the fact that Maurice Mulcahy did not want to see this in the city of Butte. It could be an issue for us in Butte-Silver Bow (something to think about); 8) Sheriff Walsh also brought up the idea of a local option tax to be used for law enforcement; 9) he gave everyone a copy of the 1994-1996 budget. Bob talked to Debbie Alt about the budget. On February 28, a letter came out that said current staffing levels cannot be increased and it asks for a preliminary budget for 2005/2006. Discussion continued regarding the budget. A copy of the budget was made for everyone and is available in Shelly's office; 10) Bob also discussed the availability of teleconferencing equipment in the Jury Room that the Study Commission can use to meet with other study commissions. Bob asked for everyone to come up with questions that we would ask other governments.

Wayne Harper asked the question, how we are going to get where we belong. He also believes he heard the same thing Tony heard when Ken Weaver was here -- that minor word changes can be recommended by the Study Commission. He thinks that the SC needs to go through the Charter line-by-line. To move along, we need to find out what the SC can or cannot do. He volunteered to write a letter to Bob McCarthy to get yes/no answers. We cannot change Sheriff to Chief of Police, etc., without raising a lot of changes. Tony read Page 9 from the book under Scope of the Study Commission. Discussion followed. Wayne will send his draft to Shelly to send out to everyone.

Discussion returned to the budget. It was brought up that some department heads have never seen their budgets in 15 or more years. They were never provided a copy. The previous public works director controlled the budget. It was also discussed how complicated and how hard it was to read the budget. It doesn't compare apples-to-apples. The average cost per officer, for example, didn't add up. The public has a difficult time discerning the budget. Danette Harrington explained some of the history of the budget office and budget since 1977. The budget office controls the budget.

It was decided not to put the survey out until all elected officials have come before the Commission. Discussion ensued regarding the speakers for the upcoming meetings. The plan is to have most of the speakers done by end of May. Tony Bonney suggested that an ad be printed at the end of May and include their phone numbers. Wayne suggested that

the survey be announced at that time. Cindi Shaw clarified that Wayne would narrow down the issues of language changes before the SC looked at the Charter. Ron Rowling also wanted to make sure that as the liaison he would be the one contacting civic groups to set up presentations. He also asked if he should put an ad in the paper or contact groups in person. Bob Worley suggested he do both.

Survey Report: Northey asked if the survey questions had been submitted to Ken Weaver for his review. Everyone agreed that they should be sent to Ken for review.

Date for Next Meeting: The next meeting will be Thursday, April 7, 2005.

Adjourn: Wayne Harper moved to adjourn the meeting; Northey Tretheway seconded the motion. The meeting adjourned at 7:48 p.m.